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House Subcommittee on Health and the Environment
Forum on Environmental Risk
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I want to thank Resources for the Future for organizing this forum, and providing this chance to discuss environmental risk issues.

I view risk assessment as a valuable tool. The information it can provide is especially useful here on Capitol Hill, as we seek to set our priorities. I also support its continued use in efforts to evaluate the health and environmental impacts of major environmental actions.

But I do not support, and in fact strongly oppose, efforts to elevate risk assessment, or for the that matter cost/benefit analysis, as some sort of over-arching guide to environmental policy-making.

There are several reasons for this view.

1) Although some like to suggest that risk assessment offers an objective scientific approach to decision-making, this is not at all true. Risk assessment is an imprecise science where the results depend largely on the assumptions that you make. In the words of

the recent report of the Carnegie Commission on Science Technology and Government, risk assessment is an "assumption- and value-laden" process.

The problems with the broad reliance on assumptions is further evidenced by last year's National Academy of Sciences Report on pesticides, where the Academy concluded that EPA's pesticide risk assumptions, which industry had roundly condemned as too stringent, in fact dramatically underestimated the exposure and sensitivity of children to pesticides.

2) Also, risk assessment is by its nature unable to resolve the fundamental environmental policy questions that we face. Who do we protect from environmental health risks? Everyone? The average person? The most sensitive individuals in the population?

What level of protection is appropriate? Is one cancer in one million persons acceptable? One in ten thousand? One in ten? How do we treat non-cancer problems like birth defects or neurological problems that cannot be readily addressed by risk assessment methodologies developed primarily to assess cancer risks?

3) Perhaps most importantly, risk assessment cannot help us to prioritize among different types of concerns. How do we weigh the value of preventing a child from being lead poisoned against the prevention of lung cancer from toxic air pollution or the preservation of an endangered species, or the protection of pristine air in Western nation parks? Risk assessment cannot really help us on such these essentially value judgements.

4) If we change our environmental laws to carve a determinitive role for risk assessment, decision-making authority is effectively be shifted away from the public glare that normally accompanies Congress' consideration of major environmental legislation, and moved into the impenetrable netherworld surrounding the risk assessment methodologies and assumptions that will in the end dictate results. On the whole this is a very undemocratic change. I continue to believe that decisions made in the open are better decisions.

In our various laws Congress has established standard-setting criteria on a case-by-case basis. Ambient air quality standards under the Clean Air Act are, for example, based solely on health effects, while drinking water contamination limits under the Safe Drinking Water Act are based on the technology available to move toward a health protection goal.

In my view, efforts to change these laws to reflect some sort of one-size-fits-all approach to decision-making that puts risk assessment at the center of the picture are misguided. We are much better off with standards specifically tailored to the problem of concern.

But, as I said at the outset, I do believe that risk assessment, and cost/benefit analysis as well, are useful tools that can be invaluable in helping us to focus on especially high priority problems.

Probably the most glaring case in point is the overwhelming scientific evidence concerning the health impacts associated with environment tobacco smoke. EPA analyses show stunning risk assessment results for the Smoke Free Environment Act -- legislation that would severely restrict smoking in buildings opens to the public. EPA studies show that <u>each year</u> preventable exposure to environmental tobacco smoke causes: more than 50,000 deaths from cancer and heart disease, over 150,000 cases of bronchitis and emphysema in young children, and triggers asthma attacks in more than 200,000 children. Remember, that is each year.

For those who like to think of the world in dollars and cents, consider this: according to preliminary EPA analysis, the Smoke Free Environment Act would save the economy more than $177 billion in lost productivity because of lives saved, more than $6.5 billion dollars in medical expenses, and more than $5 billion in reduced maintenance for buildings not sullied by tobacco smoke. The costs of complying with this measure is estimated at about $1 billion -- almost all of which is for the construction of separately ventilated smoking areas -- a step which in my view is hardly needed. In sum we are talking about an unheard of benefits to cost ratio of almost 200 to 1.

I am pleased that the Clinton Administration, recognizing a good regulatory bargain, has come out strongly in support of the Smoke Free Environment Act. But I am a little mystified by the failure of those who advocate a greater role for risk assessment and cost benefit analysis to lend their support as well. One would think that if you believe in these analytical techniques, then you must agree that this bill is an unparalleled health protection bargain.

So, for those who advocate an elevated role for risk assessment, I say here's a chance to put such analysis to good use. The Surgeon General says that environmental tobacco smoke is

the third leading cause of death in the U.S., and we can address this problem at minimal costs. I urge risk assessment advocates to put your vote where your rhetoric is, and support the Smoke Free Environment Act.

[Mr. Mica, I would be especially interested in your position on this legislation, which seems to me to be a natural for members such as yourself who seek to carve a greater role for risk assessment and cost benefit analysis.]